



Department of
Community Development

TO: Cherry Hill Township Zoning Board Members
FROM: Cosmas Diamantis, Esq., Director
Natalie Shafiroff, PP, AICP, Deputy Director
Jacob Richman, PP, AICP, Planner
RE: **COMPLETENESS REVIEW**
Beth Fisher
1754 Russet Drive
Cherry Hill, New Jersey 08003
Block 528.45 Lot(s) 3
Application No. 21-Z-0010
DATE: May 5, 2021 (**REVISED**)

I. GENERAL INFORMATION

- A. **Applicant & Owner.** Beth Fisher, 1754 Russet Drive, Cherry Hill, NJ 08003.
- B. **Proposal.** Bulk (C) Variances to permit the construction of a 183 SF attached two-car garage expansion/addition requiring front yard setback relief. The applicant also proposes to widen the existing front porch (148 SF addition) and repave/repair the existing driveway, driveway apron, and walkways.
- C. **Zone.** Residential (R1).
- D. **Site Area.** The property is located within the southeastern portion of the Township within the Residential (R1) zoned Woodcrest neighborhood. Nearby major roads includes Haddonfield-Berlin Road (CR-561) to the west, Evesham Road (CR-544) to the south, and Springdale Road (CR-673) to the east. The site is surrounded by other Residential (R1) zoned single-family residences, however, the Institutional (IN) zoned Woodcrest Country Club is located a few blocks to the south. The subject site is approximately 0.25 acres in size.
- E. **History.** Tax Assessor records indicate that the home on the subject property was built around 1965. In January of 2004, a zoning permit approval (ZA #1682) was granted for the construction of a rear 19' x 14'-8" addition and a 12' x 14'-8" deck. In August of 2020, a zoning permit application was approved (ZP-20-00894) for the installation of a backup electrical generator in the side yard of the property.

II. COMPLETENESS REVIEW

- A. **Submitted Items.** The following information has been submitted in support for this application and reviewed by the Cherry Hill Township Department of Community Development for conformance to the Zoning Ordinance:
1. Survey of Premises prepared by *William J. Robins, PLS of Robins Associates Land Surveying* dated *April 1, 2021*.
 2. Architectural Plan – Proposed Garage Expansion, Sheet 1 of 1, prepared by *Jeffrey M. King, RA* dated *August 18, 2020* and *last revised May 5, 2021*.
 3. Land Use Development Application.
 4. Project Summary
 5. Site Photographs.
 6. Tax Map – Sheet 238.
- B. **Checklist.** The following checklist items should be submitted for completeness review:

14. *Photographs of the site showing area in question.* **The applicant shall utilize the provided site photographs to describe the existing conditions of the subject site and indicate the location of the proposed improvements.**
 15. *Required Approval. List and provide applications and permits of regulatory agencies (NJDOT, NJDEP, CCSC, etc.).* **Waiver requested and the Department does not object to the granting of this waiver as no outside agencies have jurisdiction in this matter.**
 16. *Summary. A written description of the proposed use(s) and operation(s) of the building(s), i.e., the number of employee or users of non-residential buildings, the proposed number of shifts to be worked, the maximum number of employees on each shift, expected truck traffic, noise, glare, radiation, heat, odor, safety hazards, air and water pollution.* **The applicant shall provide testimony regarding the proposed attached garage expansion (i.e. size, purpose of the addition, materials, location, etc.) along with the associated site improvements (i.e. porch expansion, walkways proposed/eliminated, and driveway & apron repairs/replacement).**
 28. *Area Map with north arrow showing the entire development and its relation to surrounding areas at a scale of not less than 1"=2,000'.* **Waiver requested and the Department does not object to the granting of this waiver.**
 32. *Zoning Schedule showing required, existing, and proposed lot & yard requirements for relevant zone(s) including, area, frontage, depth, setbacks, height, etc.* **The applicant shall review the zoning schedule provided in Section III.A below and confirm to the Board the accuracy of the indicated dimensions/setbacks. If there are any corrections needed to the zoning schedule, the applicant shall clarify said dimensions/setbacks to the Board.**
 35. *Building Plans. Proposed structures and uses on the tract, i.e., size, height, location, arrangement, an architect's scaled elevation of the front, side and rear of any structure to be modified, with building lighting details and attached signs.* **Testimony shall be provided regarding the colors, materials, and dimensions of the proposed garage expansion addition and indicate how said expansion will complement the colors and materials of the existing house.**
 36. *Floor Plans where multiple dwelling units or more than one use is proposed that have different parking standards.* **Testimony shall be provided regarding the layout of the existing garage space and what impediments presently exist that make it difficult to utilize the two-car garage for parking purposes. Please provide testimony indicating how the proposed attached garage expansion, specifically in the re-sizing of said attached garage, will alleviate the existing issues.**
 37. *Signs. Existing and proposed signs, including the location, size, height and necessary measurements and a Sign Location Plan.* **Waiver requested and the Department does not object to the granting of this waiver as no signage is proposed as part of this application.**
 47. *Setbacks. All side, rear, and front setback lines with dimensions.* **The applicant shall verify the proposed front yard setback dimension to the attached garage expansion.**
- C. **Determination.** The Department of Community Development has reviewed the aforementioned application and it has been **deemed complete**. Waivers have been requested and granted for checklist item numbers: 15, 28, and 37.

III. DEPARTMENT OF COMMUNITY DEVELOPMENT COMMENTS

- A. **Zoning Requirements.** Single-Family detached dwellings are a permitted use in the Residential (R1) zone per §404.B.7 of the Zoning Ordinance. Private garages are a permitted accessory structure in the Residential (R1) zone per §431.C via §404.C.10 of the Zoning Ordinance.

CODE SECTION	MINIMUM REQUIREMENTS	REQUIRED (Inside)	EXISTING	PROPOSED	CONFORM
§404.D	Lot Area (square feet)	13,000 SF	11,250 SF	No Change	ENC
§404.D	Lot Frontage (feet)	90'	90'	No Change	C
§404.D	Lot Depth	120'	125'	No Change	C
§404.D	Front Yard	35'	41'	31.94'	V
§404.D	Side Yard (One Side)	10'	18.1'	No Change	C
§404.D	Side Yard (Aggregate)	30'	37.95'	No Change	C
§404.D	Rear Yard	25'	25.5'	No Change	C
§404.D	Maximum Height	35'	23' (to ridgeline of house)	13' (to ridgeline of addition)	C
§404.D	Maximum Bldg. Cover	30%	20.08% 2,260 SF	23.03% 2,591 SF	C
§404.D	Maximum Lot Cover	35%	25.69% 2,890 SF	29.72% 3,343 SF	C
§404.D	Open Space	N/A	N/A	N/A	N/A

^V Variance

^{ENC} Existing Non-Conformity

^C Conforms

- B. **Bulk (C) Variances.** It is recommended, although not required, that justification be provided by a licensed New Jersey Professional Planner (P.P.), for the requested variances in accordance with N.J.S.A. §40:55D-70:of Adjustment must be assured that the Applicant has demonstrated either that:
1. From §404.D, to permit a lot area of 11,250 SF, where a minimum of 13,000 SF is required. ***This is a pre-existing nonconforming condition that is unaffected by the proposed application.***
 2. From §404.D, to permit a front yard setback of 31.94', where a minimum front yard setback of 35' is required. ***As measured from the front property line to the front of the attached garage expansion.***
 3. From §431.C.5, to permit an attached garage to extend in front of the principal structure's building façade, where attached garages shall be located even with or behind the front building facade of the principal structure. ***This is an exacerbation of a pre-existing nonconformity (as the existing attached garage already extends in front of the front façade of the principal structure), therefore, a new variance is required.***
 4. Any other variances deemed necessary by the Zoning Board of Adjustment.

C. **Design Waivers.** No design waivers are being requested as part of this application.

D. **Comments.**

1. The applicant shall provide testimony regarding the purpose of the proposed attached garage expansion and why such an expansion can only occur in the area of the existing house being proposed. Testimony regarding the overall dimensions of the addition and the proposed setbacks shall be provided. Specifically, the applicant shall address the orientation of the existing garage and how the front yard setback is changing as a result of the proposed expansion.
2. The applicant shall provide testimony as to how granting the variance for proposed garage expansion would not alter the residential character of the home or the neighborhood. The applicant shall provide testimony regarding the colors and the materials of the proposed addition. The addition shall complement and/or blend in with the colors and materials of the existing residence. Additionally, the applicant shall assess whether there are other residences in the vicinity of their property that have similarly arranged attached garages (i.e. that are located in front of the front façade of the house) and encroach within the front yard setback as greatly as what is proposed.
3. The applicant shall address how the proposed addition(s) will handle stormwater (please discuss gutters and/or roof drains). All stormwater shall be managed on-site and no stormwater shall be directed towards neighboring properties.
4. The applicant shall provide testimony as to whether lighting will be installed on the proposed addition(s). Any such lighting shall be directed in a manner so as to prevent glare or light infiltration onto neighboring properties. Testimony regarding any proposed complementary landscaping shall also be provided. The applicant shall indicate how the landscaping, if any, will aesthetically complement the proposed attached garage expansion and potentially lessen the visual impact of the front yard setback encroachment.
5. The applicant shall address whether they believe there will be any detrimental impacts to neighboring properties should the garage expansion be built as proposed.
6. The application may be subject to additional comments by members Zoning Board, the Cherry Hill Department of Community Development, the Township's Zoning Board consultants, and/or the public.
7. Justification for the requested bulk (c) variance must be provided, in accordance with the M.L.U.L. Section 40:55D-70c. In considering a request for a bulk (c) variance, the Zoning Board of Adjustment must be assured that the Applicant has demonstrated either that:
 - a. By reason of exceptional narrowness, shallowness or shape of a specific piece of property, or
 - b. By reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or
 - c. By reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon, the developer of such property ((C1) Variance);

OR THAT:

- d. In an application relating to a specific piece of property, the purposes of the Municipal Land Use Law would be advanced by a deviation from the requirements of the zoning ordinance; that the variance can be granted without substantial detriment to the public

good; that the benefits of the deviation will substantially outweigh any detriment; and that the variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance ((C2) Variance).

IV. APPROVAL PROCESS

If approved, the following items are required to complete the approval process (notwithstanding any other needed items due to the unique nature of the application):

1. After the Resolution is memorialized, a **Notice of Decision** will be published in the Courier Post by the Department of Community Development.
2. After all comments have been addressed, revise (if needed), and submit **one (1) copy of finalized plans and an electronic copy** for Township records.
3. Payment of any outstanding **Review Escrow**.
4. Complete and submit a **Zoning Permit**. *To learn about how to submit a zoning permit during the closure of Town Hall, please visit the following webpage: <http://www.cherryhill-nj.com/203/Zoning>.*

cc: *Beth Fisher (via email)*
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1754 RUSSETT DRIVE

BLOCK 528.45 LOT 3



PREPARED BY:
 NATALIE K. SHAFIROFF, PP, AICP, SUPERVISOR
 DEPARTMENT OF COMMUNITY DEVELOPMENT
 LICENSE NO. 33LI00643200

Legend

- Flood
- Wetlands
- Stream
- Bus Stop